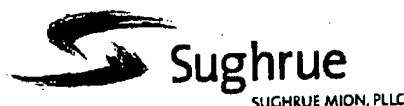


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February 26, 2003

**BOX CPA**

Commissioner for Patents  
Washington, D.C. 20231

Express Mail No. EU782142041US

Re: Application of Charles J. ARNTZEN, Peter B. KIPP, Ramesh KUMAR, Gregory D. MAY  
THE USE OF MIXED DUPLEX OLIGONUCLEOTIDES TO EFFECT  
LOCALIZED GENETIC CHANGES IN PLANTS  
Assignee: Cibus Genetics  
Our Ref: CA1162

Dear Sir:

This is a request for filing a Continuation Application under 37 C.F.R. § 1.53(d) (continued prosecution application (CPA)) of pending prior Application No. 09/129,298 (Confirmation No. 4312) filed on August 5, 1998 of Charles J. ARNTZEN, Peter B. KIPP, Ramesh KUMAR, Gregory D. MAY entitled THE USE OF MIXED DUPLEX OLIGONUCLEOTIDES TO EFFECT LOCALIZED GENETIC CHANGES IN PLANTS, which claims benefit of Provisional Application No. 60/054,836 filed August 5, 1997.

This application is being filed under 37 CFR § 1.53(d). The prior application, in which no payment of the issue fee, abandonment, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. It is understood that secrecy under 35 USC § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file jacket, be it either this application or a prior application in the same file jacket, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file jacket.

The prior application is assigned to Group Art Unit 1638.

Enter the Amendment previously filed on October 11, 2002 under 37 CFR § 1.116, but unentered, in the prior application.

The power of attorney appears in the original papers of the prior application.

Applicant claims benefit of small entity status in accordance with 37 CFR § 1.27.

The Government filing fee is calculated as follows (Small Entity fees apply):

Total claims	24 - 20	=	4	x	\$9.00	=	\$36.00
Independent claims	2 - 3	=	1	x	\$42.00	=	\$42.00
Base Fee							\$375.00
<b>TOTAL FILING FEE</b>							<b>\$411.00</b>

01 FC:2202 36.00 DA  
02 FC:2809 375.00 DA




Commissioner for Patents  
February 26, 2003  
Page 2

Please charge the statutory fee of \$411.00 to Deposit Account No. 19-4880. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this transmittal letter is attached.

The application is timely filed.

Respectfully submitted,

SUGHRUE MION, PLLC

  
John M. Sanders  
Registration No. 30,126



23493

PATENT TRADEMARK OFFICE

**PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Charles J. ARNTZEN, Peter B. KIPP, Ramesh KUMAR, and Gregory D. MAY

Appln. No. 09/129,298

Filed: August 5, 1998

For: THE USE OF MIXED DUPLEX OLIGONUCLEOTIDES TO EFFECT LOCALIZED  
GENETIC CHANGES IN PLANTS**"EXPRESS MAIL" CERTIFICATE OF MAILING**

I hereby certify that this paper and the attachments hereto are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below, addressed to the Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202.

EU 782142041 US

Express Mail Certificate Number: EU782142041USDate: February 26, 2003

Signed:

  
Thea K. Wagner

Enclosures:

1. Return Receipt Postcard
2. CPA Transmittal letter (2 copies)

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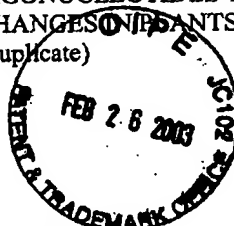
APPLICANT: Charles J. ARNTZEN et al.

APPLN. NO. 09/129,298

FILED: August 5, 1998

ENTITLED: THE USE OF MIXED DUPLEX OLIGONUCLEOTIDES TO  
EFFECT LOCALIZED GENETIC CHANGES ON PLANTS

Paper(s) Entitled: 1. CPA Transmittal Letter (in duplicate)

**RECEIVED BY THE PATENT OFFICE**  
SUGHRUE MION, PLLC

Our Ref.: CA1162

Attorney: JMS/tw

Date: February 26, 2003

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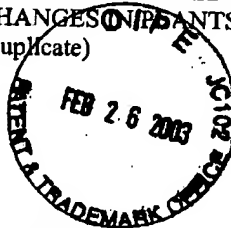
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Attorney: JMS/tw

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**EXAMINER:** David H. Kruse, Ph. D.

**FROM:** Amy Nguyen (for Linda Audette)

**COMPANY:** U.S. Patent Office  
Art Unit 1638

**DATE:** July 8, 2003

**FAX NO.:** (703) 746-5068

**NO. OF PAGES**  
**(INCLUDING COVER SHEET):** 5

**SUBJECT/MESSAGE:**

Re: Serial No. 09/129,298; filed August 5, 1998  
Attorney Docket No. CIB-T105CX

- 1) Request for Continued Prosecution Application (CPA)
- 2) Express Mail Certificate of Mailing
- 3) Copy of return receipt postcard

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